

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

KHBAIR A. TISDALE,	)	CASE NO. 4:08cv2756
	)	
Petitioner,	)	JUDGE JOHN R. ADAMS
	)	
vs.	)	
	)	
MICHELLE EBERLIN, Warden,	)	<b><u>MEMORANDUM OF OPINION</u></b>
	)	<b><u>AND ORDER DISMISSING</u></b>
Respondents.	)	<b><u>PETITIONER'S APPLICATION FOR</u></b>
	)	<b><u>WRIT OF HABEAS CORPUS</u></b>
	)	

On November 21, 2008, Khbair Tisdale filed a Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254, alleging two grounds for relief from his sentence for drug possession. Respondent filed the Return of Writ on April 20, 2009. (Doc. 7). Petitioner filed a traverse on May 1, 2009. (Doc. 8).

On January 27, 2009, the case was referred to a Magistrate Judge for preparation of a report and recommendation pursuant to 28 U.S.C. § 636 and Local Rule 72.2(b)(2). On December 8, 2009, the Magistrate Judge submitted a Report and Recommendation (Doc. 9) recommending that the petition be dismissed in part and denied in part.

Fed. R. Civ. P. 72(b) provides that objections to a report and recommendation must be filed within fourteen (14) days after service, but neither party has filed any such objections. Therefore, the Court must assume that the parties are satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).

Accordingly, the Report and Recommendation of the Magistrate Judge is hereby adopted. Khbair Tisdale's Petition for a Writ of Habeas Corpus will be denied in part and dismissed in part, as set forth in the Magistrate Judge's Report and Recommendation.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b).

IT IS SO ORDERED.

DATED: February 3, 2010

/s/ John R. Adams  
Judge John R. Adams  
UNITED STATES DISTRICT COURT